THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION NO.170 OF 2006

Dated: 31st MARCH, 2006.

Between :

1. Akiveeti Subbayamma
2. Y. Purna Rama Sathya Malleswar … Petitioners

And

1. The Executive Engineer, Roads & Buildings,
   Eluru, West Godavari District and
   Two others. … Respondents

THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION NO.170 OF 2006

ORDER :

This writ petition is filed seeking a Writ of Mandamus declaring the action of the respondents in occupying the petitioner's property i.e., Door No.1-26, Revenue Survey No.552/2, Kamavarapukota Gram Panchayat, Kamavarapukota Mandal, West Godavari District for the purpose of road widening, without initiating the land acquisition proceedings or without issuing prior notice to the petitioners as arbitrary and illegal.

This Court, while directing Notice Before Admission, by order dated 03-1-2006 granted interim direction as under :

> *"In the meanwhile, it is directed that the respondents shall not take possession of any land belonging to the petitioners without initiating the proceedings under the Land Acquisition Act or without payment of compensation therefor."*

Despite notice, the respondents did not choose to file any counter-affidavit contradicting the version of the petitioners.

In the circumstances, no further adjudication is necessary and accordingly the Writ Petition is disposed of in terms of the above interim order dated 03-1-2006 and further making it clear that the respondents shall not indulge in demolition of the structures in question without following due process of law. No costs.

G. ROHINI, J.

Dt. 31-3-2006
gbs